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**DEC 17 2001**

**OFFICE OF PETITIONS**

In re Application of	:	
Yates et al.	:	
Application No. 09/858,157	:	DECISION
Filed: 14 May, 2001	:	UNDER 37 CFR 1.28(c)
Attorney's Docket No. 156925-0003	:	

This is in response to the deficiency fee payment filed pursuant to 37 CFR 1.28(c) on 5 October, 2001.


37 CFR 1.28(c) states, "The deficiency is based on the amount of the fee, for other than a small entity, in effect at the time the deficiency is paid in full."

The current fee due for a large entity is \$1,008.00. On 2 October, 2001, \$504.00 was paid. Therefore, a deficiency of **\$504.00** is due. Petitioners has submitted a check in the amount of \$487.00. Additionally, counsel's deposit account has been charged the difference of \$17.00. However, petitioner are ultimately responsible for ensuring that the correct fee is paid and MUST notify the Office if the above calculations are incorrect.

Small entity status will no longer apply.

The file is being forwarded to Technology Center 3700 for examination in due course.

Telephone inquiries should be directed to the undersigned at (703)308-6918.

  
Douglas I. Wood  
Petitions Attorney  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy